

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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|-----------------------------------|---|--------------|
| CLINTON D. WILKINS, | : | CIVIL ACTION |
| | : | |
| Plaintiff, | : | NO. 03-6610 |
| | : | |
| v. | : | |
| | : | |
| ABF FREIGHT SYSTEM, INC., et al., | : | |
| | : | |
| Defendants. | : | |

ORDER

AND NOW, this 15th day of September, 2005, upon consideration of Defendants' Motion to Dismiss Amended Complaint Dated July 4, 2005 and for Partial Summary Judgment, it is hereby ORDERED that the motion is GRANTED as to Counts Three (III), Four (IV), and Five (IV) and DENIED as to Counts One (I) and Two (II).

BY THE COURT:

S/ James T. Giles
C.J.